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81-6998

IN THE UNITED STATES SUPREME COURT

RECEIVED
JUN 30 1982
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SUPREME COURT, U.S.

FROM THE UNITED STATES COURT OF APPEALS

EASTERN DISTRICT OF PENNSYLVANIA

OLGA OGROD and GREG J. OGROD, Appellants

v.

SCHOOL DISTRICT OF PHILADELPHIA

No. 80-2019
(D.C. 80-0169)

A P P E A L

Ms. Olga Ogrod
Tomlinson Ct. Apts. F-7A
1761 Foster Street
Phila., Pa. 19116

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SUPREME COURT, U.S.

IN THE UNITED STATES SUPREME COURT

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EASTERN DISTRICT OF PENNSYLVANIA

OLGA OGROD and GREG J. OGORD, Appellants

v.

SCHOOL DISTRICT OF PHILADELPHIA
No. 80-2019
(D.C. 80-0169)

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

APPELLANT, Olga Ogrod asks leave to file the attached APPEAL without payment of costs and to proceed IN FORMA PAUPERIS, pursuant to U.S.C. Section a,b,c,d.

APPELLANT'S AFFIDAVIT to support this motion is attached herein.

Olga Ogrod

OLGA OGROD, Appellant

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SCHOOL DISTRICT OF PHILADELPHIA
No. 80-2019
(D.C. 80-0169)

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS WITHOUT PAYMENT OF FEES OR COSTS

AFFIDAVIT

APPELLANT, Olga Ogrod being duly sworn according to law, deposes and says in support of Motion for leave to proceed without being required to repay costs or fees:

1. She is the appellant and mother of minor son, GREG J. OGROD, in the above entitled case.

2. She has reached poverty after eleven years of payment of legal costs. Appellant has been forced to remove minor son from Philadelphia Public School System, the result of child abuse physical as well as psychological paying high tuition costs in private schools and tutoring centers. Because of aforesaid, Appellant is unable to pay costs of said cause nor give security for same.

3. I believe I am entitled to the redress I seek in said cause.

4. The nature of said case is briefly stated as follows:

GEG J. OGROD, a minor and former student of the Phila. Public School System was the victim of a continued series of physical as well as psychological abuse incidents perpertrated by teachers of said system. To condone such abuse, said child was psychologically evaluated without Appellant's full knowledge and informed consent INVASION AND INTRUSION OF APPELLANT'S PERSONAL PRIVACY (BUCKLEY AMEND.)

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OLGA OGROD and GREG J. OGROD, Appellants
v.

SCHOOL DISTRICT OF PHILADELPHIA
No. 80-2019
(D.C. 80-0169)

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS WITHOUT PAYMENT OF FEES OR COSTS

AFFIDAVIT

They have placed a STIGMA in my son's system of education records, crippling his present as well as his future education, labeling my son EMOTIONALLY DISTRUBED and not the perpetrators. A psychologist of the Philadelphia Public Schools UNKNOWN TO APPELLANT has made derogatory statements and recommendations for the Appellant and delved into Appellant's family pulling facts out of thin air, totally UNRELATED TO EDUCATION.

Greg J. Ogrod, the minor son of Appellant has received multiple awards from Mayor Rizzo, Police Commissioner O'Neil, Greater Northeast Civic Association, Channel 3 News - T.V. - Phila. Daily News, for his extreme presence of mind when only eight years saving the life of Committeewoman Jean Gould, while risking his own.

APPELLANT is estopped from enrolling her son at the George School as well as other quality schools because of the STIGMA the Philadelphia School System has placed in their educational system of records. My son's future superior inventive potential is being retarded because of this stigma.

The PRIVACY ACT states a parent must receive copy of requested record within forty-five (45) days. Original request made 6-22-78 and to date, Appellant has not received copy of tests performed to STIGMATIZE minor son as well as self.

SWORN TO AND SUBSCRIBED
this 14th day June
1982 Glenn Weinstein

Olga Ogrod, Appellant-Affiant

GLENN WEINSTEIN
Notary Public, Phila., Phila. Co.
My Commission Expires Dec. 14, 1985

IN THE UNITED STATES SUPREME COURT

FROM THE UNITED STATES COURT OF APPEALS

EASTERN DISTRICT OF PENNSYLVANIA
OLGA OGROD and GREG J. OGROD, Appellants
v.

SCHOOL DISTRICT OF PHILADELPHIA
No. 80-2019
(D.C. 80-0169)

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS WITHOUT PAYMENT OF COSTS OF PRINTING OF RECORD

AFFIDAVIT

APPELLANT, Olga Ogrod being duly sworn according to law, deposes and says in support of my Motion for Leave to Proceed without being required to repay costs of printing of record on appeal:

1. I am the Appellant in the above entitled appeal and the mother of GREG J. OGROD, a minor.
2. Because of continuous legal fees for eleven years I have now reached poverty and am unable to pay further legal fees or costs.
3. I can no longer give security for same.
4. I believe I am entitled to the redress I seek in such case.

Olga Ogrod, Appellant-Affiant

DULY WITNESSED AND SWORN
BEFORE ME A NOTARY PUBLIC
THIS 14th DAY June OF
1982.

GLENN WEINSTEIN
Notary Public, Phila., Phila. Co.
My Commission Expires Dec. 14, 1985

IN THE UNITED STATES SUPREME COURT

FROM THE UNITED STATES COURT OF APPEALS

EASTERN DISTRICT OF PENNSYLVANIA

OLGA OGROD and GREG J. OGROD, Appellants

v.

SCHOOL DISTRICT OF PHILADELPHIA
No. 80-2019
(D.C. 80-0169)

.....

O R D E R

AND NOW TO WIT, ON CONSIDERATION OF THE ATTACHED MOTION AND AFFIDAVITS OF THE APPELLANT, IT IS ORDERED THAT LEAVE OF THIS HONORABLE COURT IS GRANTED TO THE PETITIONER TO COMMENCE AND PROSECUTE THIS ACTION IN FORMA PAUPERIS. WITHOUT REPAYMENT OF COSTS OR GIVING SECURITY FOR SAME THEREOF, OR REPAYMENT OF PRINTING OF RECORD ON APPEAL.

IT IS ORDERED THAT COUNSEL BE APPOINTED BY THE COURT TO ASSIST APPELLANT IN THIS CAUSE.

For the Court

DATED:.....

_____
Justice

IN THE UNITED STATES SUPREME COURT

FROM THE UNITED STATES COURT OF APPEALS

EASTERN DISTRICT OF PENNSYLVANIA

OLGA OGROD and GREG J. OGROD, Appellants

v.

SCHOOL DISTRICT OF PHIADELPHIA
No. 80-2019
(D.C. 80-0169)

.....

JURISDICTIONAL STATEMENT

APPELLANT, Olga Ogrod, hereby avers the jurisdiction of this court in the above captioned matter, basing same on the following:

28 U.S.C. - SECTION 2106 - DETERMINATION - THE UNITED STATES SUPREME COURT

or any other court of Appellate jurisdiction may affirm, modify, vacate, set aside or reverse any judgment, decree or order of a court lawfully brought before it for review, and may remand the cause and direct the entry of such appropriate judgment, decree or order or require such further proceedings to be had as may be just under the circumstances.

RECEIVED
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SUPREME COURT, U.S.

IN THE UNITED STATES SUPREME COURT

FROM THE UNITED STATES COURT OF APPEALS
EASTERN DISTRICT OF PENNSYLVANIA

OLGA OGROD AND GRED J. OGROD, Appellants

v.

SCHOOL DISTRICT OF PHILADELPHIA
No. 80-2019
(D.C.80-0169)

JURISDICTIONAL STATEMENT

APPELLANT, Olga Ogrod, who has been denied Due Process and Equal Protection under the Fourteenth Amendment of the United States Constitution invokes the Supreme Court of the United States to review same as per 28 U.S.C. Section 2106.

This appeal involves a question of exceptional importance, to wit, THE UNWARRANTED INVASION OF PERSONAL PRIVACY BY A FEDERAL AGENCY.(BUCKLEY AMENDMENT) namely, the School District of Philadelphia, a local governmental agency within the Executive Branch of Federal Government (Department of Education formally established at Cabinet Level on May 4, 1980).

The School District of Philadelphia, a local governmental agency within the Executive Branch of the Federal Government has invaded the personal privacy of appellants causing irreparable damage and incalculable harm - underhandedly performing a psychological to protect abusive teachers making same a permanent record in Educational system of records of Agency with Psychologist making recommendations for parent of minor unknown to same and delving into appellant's family situation totally unrelated to Education.

Federal law requires access to records within a reasonable period of time, not to exceed 45 days. (Ex. - Letter - June 22, 1978 Requesting records same request still not honored).

IN THE UNITED STATES SUPREME COURT

FROM THE UNITED STATES COURT OF
APPEALS
EASTERN DISTRICT OF PENNSYLVANIA

OLGA OGROD and GREG J. OGROD, Appellants

v.

SCHOOL DISTRICT OF PHILADELPHIA
No. 80-2019
(D.C. 80-0169)

.....

JURISDICTIONAL STATEMENT

APPELLANTS, whose rights to privacy and access is protected by Administrative Propedure Act, demands the vacation of SUMMARY JUDGMENT ORDER to be tried immediately as cases under this section take preference.

Respectfully submitted,

OLGA OGROD, Appellant (Appellant-parent)
on behalf of Greg J. Ogrod,
a minor

IN THE UNITED STATES SUPREME COURT

FROM THE UNITED STATES COURT OF APPEALS

EASTERN DISTRICT OF PENNSYLVANIA

OLGA OGROD and GREG J. OGROD, Appellants

V.

SCHOOL DISTRICT OF PHILADELPHIA
No. 80-2019
(D.C. 80-0169)

.....

JURISDICTIONAL STATEMENT

QUESTIONS PRESENTED FOR REVIEW

1. May the School District of Philadelphia withhold psychological tests from Appellant she was totally unaware were administered?
2. May the School District of Philadelphia withhold the teacher's referral for same and other records?
3. Does the School District of Philadelphia have a right to a SUMMARY JUDGMENT while a STIGMA remains in a minor's Educational Records which TOTALLY INVADE AND INTRUDE UPON APPELLANTS PRIVACY ?
4. Is the School District of Philadelphia an EXCEPTION to to an individual's right to privacy protected by the Administrative Procedure Act?

APPELLANT, Olga Ogrod appeals on behalf of minor son GREG OGROD per Administrative Procedure Act for the immediate vacation of SUMMARY JUDGMENT, for the production of records withheld requested June 22, 1978 that continue to STIGMATIZE the educational records.

Respectfully submitted,

Olga Ogrod, Appellant on behalf of
Greg J. Ogrod, a minor

RECEIVED

APR 12 1982

U.S.C.A. 3RD. CIR.

IN THE UNITED STATES COURT OF APPEALS

FOR THE THIRD CIRCUIT

OLGA OGROD	:	
and		
GREG J. OGROD, a minor	:	CA 80-2019
Appellants		
V.	:	
School District of Philadelphia (LEA)		
Appellee	:	

NOTICE OF APPEAL TO U. S. SUPREME COURT

Olga Ogrod and Greg J. Ogrod, a minor, Appellants are appealing U.S. Court of Appeals order of March 18, 1982 to the United States Supreme Court for a denial of Due Process and Equal Protection of the Laws under the U. S. Constitution.

The School District of Philadelphia is being served a copy of this Notice by U. S. First class mail on this date - April 12, 1982.

April 12, 1982

Olga Ogrod and Greg J. Ogrod, a minor
Appellants

Olga Ogrod on behalf of Greg J. Ogrod

June 22, 1978

Mr. Bruce Jacobs
Principal
William H. Loesche Public School
Bustleton Avenue and Tomlinson Road
Phila., Pa. 19116

Dear Mr. Jacobs:

Enclosed find "Request for Permission to Evaluate" Form returned unsigned as I see no need for same.

My son, Greg, is a healthy, spirited 11-year old who is respected in his home, community, church, camp, etc. In the past ten months, he has received the following awards and citations attesting to same:- He has received the Bravery Award awarded by Police Commissioner O'neil for saving the Committeewoman's life. He has received a specially inscribed Liberty Bell from Mayor Frank Rizzo, delivered personally denoting his outstanding performance as a first-class citizen in total control of all his faculties. He has been honored by the Greater Bustleton Civic Association with a plaque for outstanding service to his fellowmen and his neighbors. He has been cited by City Council for his contributions to his community. One of the last, received a few weeks ago, a Congressional Citation for his concern for his fellowmen.

When Greg was only eight years old, he had the mature presence of mind to leave his play immediately and stop his neighbor from being electrocuted, risking his own life.

During the past year, he has held many jobs at Neshaminy Mall where his mother is employed, paying for the cost of electronic equipment, batteries and soldering irons. This past Christmas season, he came directly from school to help his mother manage a Christmas Stocking Stand for five weeks, one of two jobs she held. Greg set up merchandise, waited on customers and helped with the entire operation.

Every Monday evening during the past semester, my son, Greg went swimming at the "Y", so his mother could earn college credits. He is a respected citizen that gets along well wherever - with friend and neighbor.

[illegible] SCHOOL 3 DIST. 1 Bruce Jacobs PRINCIPAL DATE OF REQUEST 1/4/73 19..

DIRECTIONS: MAKE FIVE COPIES. FORWARD FOUR COPIES TO THE DIVISION OF SPECIAL EDUCATION.

LAST NAME OF PUPIL	FIRST NAME AND INITIALS	SEX M	SEX F	DATE OF BIRTH MO.	DAY	YEAR	GRADE	THIS SCHOOL HAS FACILITIES FOR ... ADDITIONAL SPECIAL CLASS PUPILS.
Ofrod	Gregory x			02	28	67	5	

ADDRESS	ZIP CODE	TELEPHONE	PARENTS' NAMES
1761 Foster St	19116	Ho4-1275	Walter/Olga (Div)

HAS PUPIL HAD A PSYCHOLOGICAL EXAMINATION WITHIN THE PAST YEAR? No IF "YES" GIVE DATE ..... 19.....

PLEASE INCLUDE IN YOUR REFERRAL THE FOLLOWING INFORMATION:

1. WHY IS THE CHILD BEING REFERRED FOR A PSYCHOLOGICAL EXAMINATION? GIVE DETAILS OF PROBLEMS CHILD IS PRESENTING (BEHAVIOR, ATTENDANCE, ETC.).
2. LIST ACHIEVEMENT LEVELS (READING, ARITHMETIC) GROUP TEST RESULTS AND GENERAL SCHOOL PROGRESS.
3. FAMILY STRUCTURE (NAME AND AGES)
4. RESULTS OF PARENTAL INTERVIEWS
5. PERTINENT MEDICAL & DEVELOPMENTAL HISTORY
6. WHAT MEASURES HAS THE SCHOOL TAKEN TO ALLEVIATE THE PROBLEM USING SCHOOL AND COMMUNITY RESOURCES?
7. WHAT INFORMATION OR OUTCOME OF THIS EXAMINATION IS PARTICULARLY DESIRED?

(PLEASE SUBMIT CONFIDENTIAL INFORMATION ON A SEPARATE SHEET, SINGLE COPY.)

DO NOT USE REVERSE SIDE

REASON FOR REFERRAL:

Greg's teacher reports that Greg acts in a hyper-active manner in class to the point that he cannot function normally within the context of the regular class setting. He oftens leaves his seat without permission, constantly talks, and is a serious disturbance to those around him. His need for attention is generally acted out in a very negative manner. He is presently working at level 10 in Math and 8 in Reading. It is our feeling that Greg's problems are partly responsible for his inability to realize his academic potential. This request for service is being made in order to help determine the most appropriate educational placement and/or program for Greg.

BACKGROUND FOR INFORMATION:

Greg lives with his mother. His parents are divorced. His older brother, Walter, age 13, lives with Greg's father.

MEDICAL RECORDS:

Medical records indicate no apparent medical defects.

FORM SM 70 REQUEST FOR PSYCHOLOGICAL SERVICE—SCHOOL DISTRICT OF PHILADELPHIA (SEPT. 1971)

NAME (LAST)	FIRST NAME AND INITIAL	SEX	DATE OF BIRTH			AGE		PARENTS' FIRST NAMES OR GUARDIAN'S FULL NAME
			MO.	DAY	YEAR	YRS.	MOS.	
CROOD	GREGORY	M X F	2	28	67	10	11	Walter/Olga (div.)

RESIDENCE	ZONE
1761 Foster St.	19116

NAME OF SCHOOL	DISTRICT	DATE OF RECORD			GRADE	ADMISSION TO GRADE FROM / /
						ATTENDANCE
Loesche	8	1	30	78	5	

RESULTS

(* = USE FOR STATE REPORT)

TEST: WISC-R I.Q. 106 M.A.

VERBAL I.Q. 109 ; PERFORMANCE I.Q. 102

OTHER TESTS USED:

DATES OF PREVIOUS PSYCHOLOGICAL EXAMINATIONS:

READING

WORD RECOGNITION 7.0 grade level

PARAGRAPH COMPREHENSION

COMMENT

WRITTEN WORK

WORD SPELLING 6.3 grade level

SENTENCES

ARITHMETIC

COUNTS TO ; MONEY CONCEPT ; TIME CONCEPT

ADDITION WITH/NO CARRYING

SUBTRACTION WITH/NO BORROWING

MULTIPLICATION DIGIT MULTIPLIER

DIVISION DIGIT DIVISOR

FRACTIONS

DECIMALS

NUMBER FACTS + − × +

COMMENT 4.5 grade level

VISUAL ACUITY 13-20 FEET				DATE	HEARING		
WITHOUT GLASSES		WITH GLASSES			RIGHT	LEFT	
RIGHT	LEFT	RIGHT	LEFT				
/	/	/	/				

DEFECTIVE SPEECH ☐ SPEECH CLASS DOMINANCE EYE HAND

PERTINENT DEVELOPMENTAL/MEDICAL DATA

	PREMATURE BIRTH		VISUALLY HANDICAPPED
	DEVELOPMENTAL ANOMALY		HEARING HANDICAPPED
	SLOW EARLY DEVELOPMENT		ORTHOPEDICALLY HANDI
	SERIOUS ILLNESS OR ACCIDENT		PROLONGED HO ITALIZAT
	SEIZURES		HEART CONDITION
	DIAGNOSED EMOTIONAL MENTAL DISORDER		ALLERGIES
	IS UNDER DRUG PSYCHO THERAPY		NERVOUS CONDITIONS OR DIS
	GROSSLY OVER UNDER WEIGHT		CHRONIC ENURESIS
	POOR MOTOR COORDINATION		

SUMMARY OF FINDINGS AND RECOMMENDATIONS: EXAMINATION #1

BACKGROUND INFORMATION: See attached EH-75 for summary of reason for referral. In addition, Greg's teacher reports that Greg does not work independently, rarely completes assignments and has poor peer relations.

PSYCHOLOGICAL FACTORS: Greg was friendly and cooperative during evaluation, but did appear unsure of himself in many areas. Praise proved to be an effective motivator with Greg; his pleasure at being told he was doing well was clear. Greg's mode of attack was impulsive and he exhibited a low frustration tolerance.

Greg is currently functioning in the average range of intelligence. Cognitive abilities appear to be evenly developed at an average or above level. Perceptual development appears adequate at this time. Today's assessment of academic achievement reveals good word recognition and spelling skills. The school, however, describes Greg's reading skills as "spotty" and he is presently in a slow reading group. Math falls approximately one year behind grade expectation and potential. Greg became visibly nervous during the math section and his performance reflected his impulsive approach which resulted in careless mistakes.

(continued)

CONFIDENTIAL REPORT CONTINUED

LAST NAME	FIRST NAME AND INITIALS	SEX	DATE OF BIRTH			C. A.		PARENTS' FIRST NAMES OR GUARDIAN'S FULL NAME
RESIDENCE	ZONE		MO.	DAY	YEAR	YRS.	MOS.	
CROD	GREGORY	M X F	2	28	67			

NAME OF SCHOOL	DISTRICT	DATE OF RECORD	GRADE
Loesche			5

Analysis of projective data and clinical interview reveal a confused, unhappy boy whose feelings of insecurity, stemming from family relationships, have generalized to academic and social functioning. In school, Greg seeks the attention he feels is lacking in the home, in negative ways and this interferes with both his and classmates' progress. Evidence of strong sibling rivalry was seen. Greg's anxiety cuts into concentration and hampers functioning in the large class setting.

RECOMMENDATIONS: 1. Greg, a mildly underachieving youngster of average intelligence, is presently experiencing emotional concerns that manifest themselves in constant aggressive behavior in the classroom. It is felt that he would benefit from participation in a program for the socially and emotionally disturbed child. Greg needs a highly structured, supportive environment to help him make a better adjustment to the academic setting.

2. Since Greg's emotional problems may stem from family interaction, the possibility of seeking help for Greg and his mother, together or on an individual basis, should be investigated.

Marjorie Pollock (o.m.j.)
Marjorie Pollock, Psychologist

CC: Principal, Loesche

DATE MAILED
MAR 30 1978
FILE COPY

COPIES TO:

.30.
PSYCHOLOGIST

THE SCHOOL DISTRICT OF PHILADELPHIA

BOARD OF EDUCATION
21st Street s of The Parkway
19103

Dear Parent:

The School District of Philadelphia would like to provide an evaluation for Greg Ogrod who attends the Loesche School to assure that your child has an appropriate education program. Your child has been referred for evaluation for the following reasons: "It is felt (by the psychologist) that he would benefit from participation in a program for the socially and emotionally disturbed."

Our plan for evaluation includes:

	Type of Test/Procedure	Proposed Date of Evaluation
1.	Educational Evaluation	to be determined
2.		
3.		
4.		

You have the right to see and study all the information in your child's school record. Since all of your questions may not be answered by reviewing these records, you may also wish to meet with school personnel or evaluator(s) to discuss the recommended referral and/or the evaluation procedures. To obtain your child's records or to arrange a conference you may call: _____

If this is the case, please indicate your decision by signing in the appropriate space below.

You may already have enough information to reach a decision about the evaluation without reviewing your child's records or requesting a conference.

If the evaluation shows that your child is eligible for special education programs and services, we will ask for your assistance in preparing an Individualized Education Program (IEP). You also have the right to request a hearing concerning this proposed evaluation. No evaluations may be conducted without your written approval or the approval of a due process hearing officer.

Please respond to one of the following statements:

I agree to an evaluation as described above, and I will call for an appointment to review my child's school records and/or for a conference before the evaluation.

Date _____ Signature of Parent _____

I agree to an evaluation as described above, but I will not review my child's records or schedule a conference before the evaluation.

Date _____ Signature of Parent _____

I do not agree to an evaluation as described above.

Date _____ Signature of Parent _____

Please return this letter in the enclosed envelope within ten (10) days of the date you received it. Thank you for your cooperation.

Sincerely,

School _____ Principal _____

Encl: envelope

T700 (12/77) REQUEST FOR PERMISSION TO EVALUATE - THE SCHOOL DISTRICT OF PHILADELPHIA

In view of P. L. 94-142, effective October 1, 1977, (a new federal law), my son, Greg as well as myself, a parent, have been discriminated against and denied our rights to Due Process under the United States Constitution, and outlined under said law. NAMELY:

1. As the parent and guardian of Greg, I received NO NOTICE in WRITING of an impending evaluation. (whatever?)

I was called at work to come in immediately to sign a permission slip to test Greg. (whatever?)

2. There was no READING OF RIGHTS under P. L. 94-142 when I was ushered in and told I must sign.

3. I was not given the opportunity to REFUSE the tests (whatever?) or to have my son PRIVATELY EVALUATED as per said law.

It is imperative and of utmost importance at this time for the present and future welfare of my child, Greg, that:-

1. A copy of everything in Greg's school record is sent to me to review, as well as

2. A copy of EVERY test that was performed for said evaluation (whatever?), as well as

3. A copy of Parental Permission Slip I was forced to sign. being told I must come in immediately from work, as well as

4. A copy of the referral for such tests, evaluation (whatever?) as well as

5. An explanation of WHO initiated same and WHY it was initiated immediately following Greg's removal from Mrs. Nuttle's class at my request because she was physically and psychologically abusing my son, Greg.

6. I want an exact copy of the California Tests taken by my son, Greg, for this semester.

My rights to the above are affirmed by Federal Law.

Very truly yours,

Olga Ogrod

Ms. Olga Ogrod
Tomlinson Ct. Apts. F-7A
1761 Foster Street
Phila., Pa. 19116

OO/mt
enc.
Cert. Mt. Rec.
cc-Robert Lear 21st & Parkway, Phila., Pa. 19103
Dr. Wm. Tillery 1300 Spring Garden Street, Phila., Pa. 19103
Dist # 6 Supt.
ELC

.22.

REPORT OF SUSPECTED CHILD ABUSE
PURSUANT TO ACT 124, NOVEMBER 26, 1975

Luckyy

Any persons who, in the course of their employment, occupation, or practice of their profession come into contact with children shall report or cause a report to be made when they have reason to believe, on the basis of their medical, professional or other training and experience, that a child coming before them in their professional or official capacity is an abused child.

750

INSTRUCTIONS TO MANDATED PERSONS: Within 48 hours after the oral report, send one copy of this report to the Child Protective Services Unit of the Child Welfare Agency where the child is located.

PLEASE NOTE INFORMATION ON REVERSE SIDE. 51-17685

TODAYS DATE: 5-9-80

1. NAME OF CHILD (Last, First, Initial): OGROD, Greg
   BIRTHDATE: 11-29-67 (8-6?)
   SEX: ☐ M ☐ F
   ADDRESS (Include Street, City, State & Zip Code): 1761 Foster St. Phila,
   COUNTY: Phila,

1A. PRESENT LOCATION IF DIFFERENT THAN ABOVE

2. NATURAL/ADOPTIVE MOTHER (Last, First, Initial): Ogrod, Olga
   TELEPHONE NO.: unlisted
   ADDRESS (Include Street, City, State & Zip Code): same
   COUNTY:

   NATURAL/ADOPTIVE FATHER (Last, First, Initial): Ogrod, Walter
   TELEPHONE NO.:
   ADDRESS (Include Street, City, State & Zip Code): 7244 Rutland St. Phila
   COUNTY:

3. OTHER PERSON RESPONSIBLE (Last, First, Initial): Epstein, Mr.
   RELATIONSHIP TO CHILD: teacher
   ADDRESS (Include Street, City, State & Zip Code): Baldi Middle School, Ferry Road
   COUNTY:
   TELEPHONE NO.:

4. ALLEGED PERPETRATOR (Last, First, Initial): Epstein, Mr.
   RELATIONSHIP TO CHILD:
   ADDRESS (Include Street, City, State & Zip Code): Baldi Middle School, Ferry Road
   COUNTY:
   TELEPHONE NO.:

5. NATURE & EXTENT OF ALLEGED INSTANCES (NARRATIVE) 5-8-80

Caller alleges that child was talking in class on 5-8-80. Teacher told child to write a comp. Alleged perp. grabbed child by neck of shirt, hit child's head against door, tried to choke child and scrached child's neck, Popped a boil on neck & dragged child to office. Child was suspended.

6. ACTIONS TAKEN OR ABOUT TO BE TAKEN

☐ NOTIFICATION OF CORONER ☐ PHOTOGRAPHS ☐ EMERGENCY CUSTODY TAKEN
☐ X-RAYS ☐ HOSPITALIZATION ☐ OTHER (SPECIFY)

7. FAMILY HOUSEHOLD COMPOSITION (Please check block if there is indication of prior abuse)

☐ NAME _____ SEX _____ AGE _____ ☐ NAME _____ SEX _____ AGE _____
☐ NAME _____ SEX _____ AGE _____ ☐ NAME _____ SEX _____ AGE _____
☐ NAME _____ SEX _____ AGE _____ ☐ NAME _____ SEX _____ AGE _____

8. FOR USE BY PHYSICIANS ONLY (PLEASE PRINT OR TYPE)

June 14, 1980

Dr. Michael P. Marcase
Superintendent of Schools
The School District of Philadelphia
Board of Education
21st and Parkway
Phila., Pa. 19103

Dear Dr. Marcase:

I, a parent of a Philadelphia Public School student, a contributing citizen of the Commonwealth of Pennsylvania, entrusting my young child to professionals, DEMAND the immediate removal of Mr. Epstein, Social Studies teacher and Home Room Teacher of B - 73 - Baldi Middle School for the criminal charges of "child abuse".

Said Mr. Epstein physically abused my child to the witness of the entire class of homeroom B-73, Baldi Middle School, on May 8, 1980, leaving the marks of all his fingers on my son's neck where he choked him, banged his head against a door, then pushed my son on the floor when he tried to go to office, dragging him across the floor. To cover this "attack", a criminal assault by a professional on a young child, my son was suspended at the end of day. My son was called to the office and given a suspension slip with no explanation.

Mr. Epstein is not psychologically capable of handling children. A fully grown mature adult of professional standing who would physically attack and abuse a young child who just turned thirteen is mentally unbalanced. Because of said incident, my son has been restricted to be near this professional unless accompanied by a companion at all times.

This incident of child abuse has been documented and will be on record until my child has attained the age of eighteen years. It has, also, been documented by medical authorities at Nazareth Hospital where my son had to be treated and, also, with police who have directed me to obtain a warrant.

Mr. Ehrlich, Principal, Baldi Middle School has taken it upon himself to conduct his own investigation and drawn his own conclusions.

My child was criminally attacked by a professional and I Demand the immediate removal of Mr. Epstein for future safety and welfare of other small children entrusted to this "professional". Child abuse must be stopped; this being the second incident of two inflicted on my son by professionals within a three-week period.

Very truly yours,

Ms. Olga Cgrod

.2.

Cert.Ret. Rc.
enc. - doc.
cc.
Mr. Ehrlich, Prin.Valdi
Sec. of Ed.- Hsbg.
Sec. of Ed. HEW

Home Address:

Tomlinson Ct. Apts. F-7A
1761 Foster Street

Photography by Elwood P. Smith

Mrs. Gould thanks one of her rescuers, Greg Ogrod, 8

Woman Thanks 2 Little Heroes

Mrs. Jean Gould was so thankful to two little boys that she wanted to tell the world about it.

After all, they did save her life yesterday.

Mrs. Gould was getting ready to cut her lawn on Tomlinson Rd. near Clark St. in the Northeast with an electric power mower. She grasped the mower and felt a terrific jolt. Her hand bonded to the machine by powerful currents, she started screaming.

TWO BOYS — Brian Paluch, 5, of Tomlinson near Clark and Greg Ogrod, 8, of Foster St. near Jamison — saw her problem.

Greg unplugged the mower and Mrs. Gould — shaken and still in need of medical treatment — was saved.

She was shaky last night and unsure of what caused the accident. But she wanted to thank both boys. "If it hadn't been for them," she explained, "I'd be dead."

CITY OF PHILADELPHIA

FRANK L. RIZZO
MAYOR

May 27, 1977

Mr. Greg Ogrod
1761 Foster Street
Philadelphia, Penna. 19116

Dear Greg:

I was very pleased to learn of your heroic efforts in saving the life of Mrs. Jean Gould.

I want to commend you on your actions and your quick-thinking.

I am sending you, under separate cover, a specially inscribed Liberty Bell with my appreciation and my thanks.

Sincerely,

FRANK L. RIZZO

FLR:zmd

152/152

JOSHUA EILBERG
MEMBER
4TH DISTRICT, PENNSYLVANIA

COMMITTEES:
JUDICIARY

CHAIRMAN, SUBCOMMITTEE ON IMMIGRATION, CITIZENSHIP, AND INTERNATIONAL LAW

MERCHANT MARINE AND FISHERIES

SUBCOMMITTEE ON THE MERCHANT MARINE

SUBCOMMITTEE ON COAST GUARD AND NAVIGATION

Congress of the United States
House of Representatives
Washington, D.C. 20515

OFFICES:
2138 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
TEL.: 225-6251 AREA CODE 202

215 FIRST FEDERAL BUILDING
CASTOR AND COTTMAN AVENUES
PHILADELPHIA, PENNSYLVANIA 19111
TEL.: RA 2-1717 AREA CODE 215

PLEASE REPLY TO
Philadelphia ADDRESS

February 21, 1978

Master Greg Ograd
1761 Foster Street
Apartment 7-A
Philadelphia, Pa. 19116

Dear Greg:

Mrs. Jean Gould has brought to my attention your heroic act in saving her life in July of 1975, when you were only eight years old. I am sorry to be so late in writing to you about this, but I was just apprised of your quick thinking and action in helping Mrs. Gould. You and your friend Brian Paluca deserve the highest praise. I am very proud of both of you and I know you will continue to be fine citizens within your community as you grow into manhood. You certainly have gotten off to an early start!

As your Congressman, I want you to know that I shall be very happy to serve you and your family in any way I can. I want to extend my congratulations to your parents for raising such a fine son.

I am sorry that I do not have a photograph to send to you and I hope the enclosed autographed picture on a folder mailed to my constituents will serve the purpose.

My best wishes to you and your family.

Sincerely,

Joshua Eilberg

JOSHUA EILBERG

JE:aks
enc.

12-00

THIS STATIONERY PRINTED ON PAPER MADE WITH RECYCLED FIBERS

May 24, 1977

Honorable Mayor Frank L. Rizzo
City Hall
Phila., PA

Dear Mayor Rizzo:

I would like to draw to your attention a heroic deed that two young boys participated in on July 23, 1975. I was just starting to mow my lawn, when suddenly I became attached to the lawn mower and thrown, still attached, ten feet into the driveway . I was screeming for help while the electric current was going thru my body. Two boys Brian Paluch, age five and Gregg Ogrod, age eight were playing across the street disregarded their own safety came to my rescue, They attentively heard my muffled plea Brian comforted me while Gregg pulled the electric plug releasing me from my death grip. All I can say is thank God that they saw and heard me.

I mentioned to a gentleman three weeks ago what these boys had done for me. If it wasn't for them I would not be here today. The gentleman forwarded the news paper clipping to Commissioner Joseph F. O'Neil. Subsequently the boys received on Thursday, May 19, 1977 a special commendation at 8th and Race Streets.

Other people have since called me stating that the boys should be reconized by the Mayor of Philadelphia because of their heroic effort and age and that they should have been reconized prior to May 19, 1977.

I would appreciate anything you can do for them in a way of a citation by you your honor.

Yours Truly,

Mrs. Jean Gould
1900 Tomlison Rd.
Phila., PA 19116

* enclosure

CITY COUNCIL

CITY OF PHILADELPHIA

AL PEARLMAN
ROOM 582, CITY HALL
MU 6-3420
COUNCILMAN-AT-LARGE

CHAIRMAN
APPROPRIATIONS COMMITTEE
COMMITTEES
TRANSPORTATION AND PUBLIC UTILITIES—VICE CHAIRMAN
COMMERCE, NAVIGATION AND AIRPORT FACILITIES
STREETS AND SERVICES
PUBLIC HEALTH AND WELFARE

May 23, 1977

Mr. Gregg Ogrod
1761 Foster Street
Philadelphia, Pa. 19115

Dear Gregg:

I would just like to take this opportunity to congratulate you on being honored by the Philadelphia Police Department with respect to your lifesaving feat two years ago.

It is most gratifying to know that our City has such concerned, knowledgeable youths as you, who can act quickly and bravely in emergency situations.

Should you have the chance to visit City Hall this Summer, please stop by my office so I may congratulate you in person.

Again, my sincere congratulations and kindest regards.

Sincerely,

Pearlman

AL PEARLMAN

AP/rm

POLICE DEPARTMENT
HEADQUARTERS, FRANKLIN SQUARE
PHILADELPHIA, PENNSYLVANIA 19106

JOSEPH F. O'NEILL
Commissioner

CITY OF PHILADELPHIA

May 5, 1977

Mr. Greg Ogrod
1761 Foster St.
Phila. Pa. 19116

Dear Mr. Ogrod :

On Thursday, May 19, 1977, at 2:00 P.M., the Philadelphia Police Department will honor citizens who have assisted the Police in the performance of their duties. Special Commendations will be presented at the Police Headquarters Auditorium, 8th and Race Streets.

A Police Department Commendation has been prepared for you. We hope you will be able to attend. The ceremony will be brief.

We are grateful for the outstanding service you have given law enforcement in our City.

Sincerely,

JOSEPH F. O'NEILL
Commissioner

Philadelphia Police Department

CITIZEN COMMENDATION

GREG OGROD

In recognition of your outstanding contribution to law and order, you are officially commended by the Philadelphia Police Department.

On Tuesday, July 23, 1975 Mrs. Jean Gould was getting ready to cut her lawn with an electric power mower. She grasped the mower and felt a terrific jolt. Her hand became bonded to the machine by powerful currents and she started screaming. Both you Brian Paluch ran to the woman's aid and unplugged the mower. Your immediate response prevented serious or possibly fatal injury.

Brave and alert citizen action such as this demonstrates your willingness to aid the Philadelphia Police Department and brings great credit on yourself and your community.

This commendation reflects the sincere appreciation of the Philadelphia Police Department for your outstanding citizen cooperation in maintaining law and order.

Police Commissioner

TO
GREG OGROD
FOR YOUR CONCERN &
HEROISM WHILE SAVING
THE LIFE OF YOUR
NEIGHBOR IN
JULY OF 19 62
PRESENTED BY
GREATER BUSTLETON
CIVIC LEAGUE

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

NO. 80-2019

OLGA OGROD and GREG J. OGROD,

Appellants

v.

SCHOOL DISTRICT OF PHILADELPHIA

(D.C. Civil No. 80-00169)

Before: GIBBONS, MARIS and GARTH, Circuit Judges

Upon the consideration of the petition for rehearing by appellant before the original panel,

It is O R D E R E D that the petition for rehearing before the original panel is denied.

By the Court,

Dated: February 25, 1982

Circuit Judge

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 80-2019

OLGA OGROD and GREG J. OGROD,
Appellants

v.

SCHOOL DISTRICT OF PHILADELPHIA

(D.C. Civil No. 80-00169)

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Submitted Under Third Circuit Rule 12(6)
February 1, 1982
Before: GIBBONS, MARIS and GARTH, Circuit Judges

OLGA OGROD and
GREG J. OGROD, a Minor
Tomlinson Ct. Apts. F-7A
1761 Foster Street
Philadelphia, PA 19116

Appellants Pro Se

ROBERT T. LEAR, ESQ.
Room 605-B
The Administration Building
21st and The Parkway
Philadelphia, PA 19103

Attorney for Appellee

JUDGMENT ORDER

Olga Ogrod and Greg J. Ogrod appeal from an order granting summary judgment in favor of defendant. There are no material fact issues, and we find no legal error in the court's

...ngs with respect to each of the plaintiffs' claims.

It is O R D E R E D and A D J U D G E D that the judgment of the district court is affirmed. Costs are taxed in favor of appellee.

BY THE COURT,

Circuit Judge

Attest:

Sally Mrvos, Clerk

DATED: February 3, 1982

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 80-2019

OLGA OGROD and GREG J. OGROD,
Appellants

v.

SCHOOL DISTRICT OF PHILADELPHIA

(D.C. Civil No. 80-00169)

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Submitted Under Third Circuit Rule 12(6)
February 1, 1982
Before: GIBBONS, MARIS and GARTH, Circuit Judges

OLGA OGROD and
GREG J. OGROD, a Minor
Tomlinson Ct. Apts. F-7A
1761 Foster Street
Philadelphia, PA 19116

Appellants Pro Se

ROBERT T. LEAR, ESQ.
Room 605-B
The Administration Building
21st and The Parkway
Philadelphia, PA 19103

Attorney for Appellee

JUDGMENT ORDER

Olga Ogrod and Greg J. Ogrod appeal from an order granting summary judgment in favor of defendant. There are no material fact issues, and we find no legal error in the court's

rulings with respect to each of the plaintiffs' claims.

It is O R D E R E D and A D J U D G E D that the judgment of the district court is affirmed. Costs are taxed in favor of appellee.

BY THE COURT,

Circuit Judge

Attest:

Sally Mrvos, Clerk

DATED: February 3, 1982

Certified as a true copy and issued in lieu of a formal mandate on March 5, 1982.

Test:

Chief Deputy Clerk, United States Court of Appeals for the Third Circuit.

COPY

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

March 11, 1982

No. 80-2019

OGROD, OLGA and OGROD, GREG J.,
Appellants

vs.

SCHOOL DISTRICT OF PHILADELPHIA

MAR - 5 1982

Present: GIBBONS, MARIS and GARTH, Circuit Judges

1. "Appellant's Motion to Court en banc for return of record and hearing en banc" which the Court may wish to treat as a Motion to Recall the Mandate and to file a petition for rehearing before the Court en banc out of time.

2. For your information the Judgment-Order was entered on February 3, 1982 in this civil appeal. An Order was filed on February 25, 1982 denying appellant's petition for rehearing before the original panel. The certified judgment-order in lieu of formal mandate issued on March 5, 1982.

in the above-entitled case. Any Answer which would be due by March 19, 1982 will be forwarded to you upon receipt of same.

Respectfully,

Clerk

enc.

bjr

The foregoing Motion is/are denied

By the Court,

Dated: March 18, 1982

Circuit Judge